**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

CLIFFORD COOPER,	)
	)
	)
	)
Plaintiff,	)
	)
v.	) CIVIL ACTION NO. 5:22-CV-13 (MTT)
	)
VERNON SPEIGHT,	)
	)
	)
Defendant.	)
	)

ORDER

Pro se Plaintiff Clifford Cooper filed this 42 U.S.C. § 1983 action against Vernon Speight for deliberate indifference to medical needs in violation of the Eighth and Fourteenth Amendments regarding post-surgical care Cooper received while incarcerated at Baldwin State Prison ("BSP"). Doc. 1. United States Magistrate Judge Stephen Hyles recommends granting the defendant's unopposed motion for summary judgment (Doc. 62). Doc. 65. Cooper fails to object, so the Court reviews the Recommendation for clear error pursuant to 28 U.S.C. § 636(b)(1).

Cooper alleges Speight—whom he believed was a doctor at BSP but was not—refused to provide medication stronger than aspirin for pain following Cooper's ankle surgery and, as a result, Speight was deliberately indifferent to his serious medical need. Doc. 1 at 15-16. But there is evidence that Cooper received more than just aspirin for pain. Doc. 62-5 at 39:11-25; *see also Adams v. Poag*, 61 F.3d 1537, 1547 (11th Cir. 1995) (stating the failure to give stronger medication is generally a medical judgment that is not an appropriate basis for imposing liability). In any event, Speight is

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the Health Services Administrator at BSP and does not provide care to inmates because he is not a nurse or physician. Doc. 62-3. There is no evidence that Speight delayed or denied any of Cooper's treatment, and Cooper did in fact receive treatment on multiple occasions post-surgery. Docs. 62-4; 62-5; 62-6.

Accordingly, the Court accepts the findings, conclusions, and recommendations of the Magistrate Judge. The Recommendation (Doc. 65) is **ADOPTED** and made the Order of the Court. The defendant's motion for summary judgment (Doc. 62) is hereby **GRANTED.**

SO ORDERED, this 20th day of November, 2023.

S/ Marc T. Treadwell
MARC T. TREADWELL, CHIEF JUDGE
UNITED STATES DISTRICT COURT